

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

SUHAIL NAJIM)	
ABDULLAH AL SHIMARI <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	Case No. 1:08-cv-827 (LMB/JFA)
v.)	
)	
CACI PREMIER TECHNOLOGY, INC.)	
)	
Defendant.)	
)	
CACI PREMIER TECHNOLOGY, INC.,)	
)	
Third-Party Plaintiff,)	
)	
v.)	
)	
UNITED STATES OF AMERICA, and)	
JOHN DOES 1-60,)	
)	
Third-Party Defendants.)	
)	

**MEMORANDUM IN SUPPORT OF CONSENT MOTION FOR BRIEFING
SCHEDULE FOR DEFENDANT CACI PREMIER TECHNOLOGY INC.'S
SUGGESTION OF LACK OF SUBJECT MATTER JURISDICTION**

Plaintiffs respectfully request that the Court enter an order granting Plaintiffs' consent motion for briefing schedule for Defendant CACI Premier Technology Inc.'s ("CACI") Suggestion of Lack of Subject Matter Jurisdiction filed on January 3, 2019.

At the final pre-trial conference, the parties agreed to meet and confer about the briefing schedule for dispositive motions and the Court ordered any dispositive motions to be filed such that the reply brief would be received by the Court at least one week before oral argument. (Dkt. 974.) The parties have conferred and agreed that, due to the pending schedule for CACI's

Motion to Dismiss Based on the State Secrets Privilege and Motion for Summary Judgment, intervening holidays, and other commitments of counsel, Plaintiffs will file their opposition and the United States will file a response, if any, to CACI's Suggestion of Lack of Subject Matter Jurisdiction no later than January 29, 2019. CACI will file its reply in support of its Suggestion of Lack of Subject Matter Jurisdiction no later than February 8, 2019. Thus, the Court will receive all motion papers one week before oral argument, which will remain on February 15, 2019.

For the reasons set forth above, Plaintiffs respectfully request that the Court grant their consent motion for a briefing schedule for CACI's Suggestion of Lack of Subject Matter Jurisdiction.

Respectfully submitted,

/s/ John Kenneth Zwerling

John Kenneth Zwerling (VA Bar #08201)
ZWERLING/CITRONBERG, PLLC
114 North Alfred Street
Alexandria, VA 22314
Tel. 703-684-8000 | jz@zwerling.com

Baher Azmy, *Admitted pro hac vice*
Katherine Gallagher, *Admitted pro hac vice*
CENTER FOR CONSTITUTIONAL RIGHTS
666 Broadway, 7th Floor
New York, NY 10012

Robert P. LoBue, *Admitted pro hac vice*
PATTERSON BELKNAP WEBB & TYLER LLP
1133 Avenue of the Americas
New York, NY 10036

Shereef Hadi Akeel, *Admitted pro hac vice*
AKEEL & VALENTINE, P.C.
888 West Big Beaver Road
Troy, MI 48084-4736

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on January 4, 2019, I electronically filed the Memorandum in Support of Consent Motion for Briefing Schedule for Defendant CACI Premier Technology, Inc.'s Suggestion of Lack of Subject Matter Jurisdiction through the CM/ECF system, which sends notification to counsel for all parties.

/s/ John Kenneth Zwerling
John Kenneth Zwerling (VA Bar #08201)